

§ 101-41.101 Examination of payments, settlement of claims, and review of requirements.

Section 322 of the Transportation Act of 1940, as amended (31 U.S.C. 3726), permits transportation bills to be paid prior to audit by the Administrator of General Services or his/her designee in accordance with regulations that the Administrator shall prescribe.

(a) The authority vested in the Administrator of General Services by 31 U.S.C. 3726, as amended, enables the Administrator, or his/her designee, to:

(1) Audit selected transportation bills prior to payment;

(2) Examine, settle, and adjust accounts involving payment for transportation and related services for the account of the United States;

(3) Adjudicate and settle transportation claims by and against the United States;

(4) Deduct the amount of any overcharge by any carrier or forwarder from any amount subsequently found to be due such carrier or forwarder; and

(5) Delegate any authority conferred on the Administrator to another agency or agencies if the Administrator determines that such a delegation would be cost-effective, accurate, timely, or otherwise in the public interest.

(b) The Administrator of General Services, or his designee, will exercise such authority subject to:

(1) The direction of the President;

(2) Fiscal and policy control of the Office of Management and Budget; and

(3) Decisions of the Comptroller General of the United States resulting from Federal agency or common and contract carrier appeals involving disputed claims by and against the United States or issued under the authority vested in the Comptroller General by the Budget and Accounting Act of 1921, as amended (31 U.S.C. 702), and the Accounting and Auditing Act of 1950, as amended (31 U.S.C. 3511).

(31 U.S.C. 952, 31 U.S.C. 3726; 40 U.S.C. 486(c))

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§ 101-41.102 GSA responsibilities and functions.

(a) With respect to the audit of transportation payments and under the stat-

utory authority therefor, the Administrator of General Services or his designee is responsible for and will accomplish the functions set forth in paragraphs (a) (1) through (9) of this section.

(1) Examine and analyze payments for freight and passenger transportation services furnished for the account of the United States to determine their validity, propriety, and conformity with tariffs, quotations, agreements, or tenders and make adjustments to protect the interests of the United States;

(2) Examine, adjudicate, and settle transportation claims by and against the United States;

(3) Collect from carriers by refund, setoff, or other means, amounts determined to be due the United States;

(4) Compromise, terminate, or suspend debts due on transportation overcharges;

(5) Prepare reports to the Attorney General of the United States setting forth recommendations regarding the legal and technical bases available for use in prosecuting or defending suits by or against the United States and provide technical, fiscal, and factual data from records relative thereto;

(6) Provide transportation specialists and lawyers to serve as expert witnesses, to assist in pretrial conferences, to draft pleadings, orders, and briefs, and to participate as requested in connection with transportation suits by or against the United States;

(7) Review agency policies, programs, and procedures to determine their adequacy and effectiveness insofar as they relate to the audit of freight and passenger transportation payments, and review related fiscal and transportation practices;

(8) Furnish information on rates, fares, routes, and related technical data to agencies upon request; and

(9) Inform agencies of irregular shipping and routing practices, inadequate commodity descriptions, excessive transportation cost authorizations, and unsound principles employed in traffic and transportation management.

(b) In carrying out the foregoing functions, a designee head of an agency, acting in substance as GSA's audit surrogate, shall forward direct to the